IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO. 3627 OF 2007

Mr.Narayan Kanu Patil. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

K.S.Patil for the applicant.

S.S.Pednekar, A.P.P. for the State.

CORAM: V.C.DAGA, J.

DATED: 1st November 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The order passed by the Sessions Court dated 15th October, 2007 in Criminal Bail Application No.1010/2007 can hardly be said to be a judicial order. From the said order it is difficult to read the mind of the learned Sessions Judge while refusing to grant bail to the applicant. The learned Sessions Judge ought to have recorded reasons in support of his order. It is a cryptic and perfunctory order passed in a casual manner and is clearly in breach of principles of natural justice. While rejecting the

application for bail the Court below ought to have realised that it is dealing with the liberty of the citizen. The impugned order is, therefore, void *ab initio* and liable to be set aside.

3. In the aforesaid view of the matter, by consent of parties, the impugned order is set aside without examining merits or demerits of it. Criminal Bail Application No.1010/2007 is restored to the file of the Sessions Court with direction to hear and decide the same with expeditious despatch.

4. Application is disposed of accordingly.

JUDGE